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Attorney for *Defendant*  
*ALEX EYE BURSCH*

United States District Court  
Northern District of California  
Oakland Courthouse

No. **4:11-CR-00644-PJH-1**

UNITED STATES OF  
AMERICA,

*Plaintiff,*

vs.

ALEX EYE BURSCH,

*Defendant.*

NOTICE OF MOTION AND MOTION TO TRAVERSE  
SEARCH WARRANT AFFIDAVIT AND SUPPRESS EVIDENCE

*Franks v. Delaware*, 438 U.S. 154 (1978)

(F.R.Cr. P. 12(b)(3)(C) and 41(h))

Date: Wednesday, May 16, 2012  
Time: 2:30 pm  
Courtroom: 3, Hon Phyllis J. Hamilton, Judge

*Speedy Trial Act Excludable Time: 18 U.S.C. 3161(h)(1)(F)*

NOTICE OF MOTION AND MOTION TO TRAVERSE  
SEARCH WARRANT AFFIDAVIT AND SUPPRESS EVIDENCE

To: Owen Martikan  
Assistant United States Attorney  
450 Golden Gate Avenue  
San Francisco, CA 94102

Please Take Notice that on a date to be set at the next status conference in this case, defendant will move for an order to traverse the search warrant affidavit and suppress the following evidence:

- 1) One (1) Antech computer tower, blk & silver in color.
- 2) One (1) ASUS Flat Screen Monitor, MDL# VH236,, SIN A5LMTF181237.
- 3) One (1) Theme Take LanBox Lite SIN VF6000VNS0801013052

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- 4) One (1) Cannon 400 MM Lens 1:5:6
- 5) Five (5) Rolls of film
- 6) One (1) EOS Cannon 40D MDL D5126171, S/N M20310618
- 7) Four (4) Telephoto Lenses
- 8) Three (1) USB Thumbdrives
- 9) Thirteen (13) CD-R, CD case yellow in color
- 10) One (1) CD-R "Mustang Memories"
- 11) Five (5) Photographs
- 12) One (1) Telephone number sheet
- 13) Three (3) AT&T, Davis School. District, Pleasant Hill billing statements
- 14) Eight (8). Telephone rosters, Dolphin Swim Team
- 15) Grey Duct tape, Black Mask
- 16) One (1) USB Co.writer MDL# DR-CORWZ4104064
- 17) One (1) WD Hard Disk Drive S/N WCAV52681817
- 18) MaxTor External Hard Drive 500 GB MDL# Maxtoritouch3, S/N TCO4RPHM
- 19) ASUS CDRW, blk & silver in. color, S/N 59PA65HC316122.3
- 20) HP Laptop ZE10000, S/N TZW21908555
- 21) GarminNuvi GPS, MDL# 350 NA S/N 20244707
- 22) USB Hard Drive, blk & silver in color
- 23) SSN Card Alex Bursch. 5644 1-7589
- 24) Fifty-five (55) CD-R
- 25) Nine (9) Floppy Disks
- 26) Hitachi, HDS722525VLAT80 S/N. C6CAEHRL
- 27) Seagate Barracuda MDL 5T3120026A S/N 5JT4ISGO
- 28) Creative Labs XMOD, MDL #SB0830
- 29) Western Digital, WD5,00V507,S/N WCANIJ11 1769
- 30) D-Link Ethernet, mdl, 01-604,S/N 8N0132A 13176

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1 Defendant bases his motion on the attached memorandum of points and authorities,  
2 declaration of counsel, exhibits, contents of the court file, and all the evidence and other matters  
3 to be presented at the hearing, on Federal Rules of Criminal Procedure 12(b)(3)(C) and 41(h),  
4 and on *Franks v. Delaware*, 438 U.S. 154 (1978).

5 Dated: Oakland, California, Wednesday, April 18, 2012.

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9 **Robert J. Beles**  
10 Attorney for *Defendant ALEX EYE BURSCH*  
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